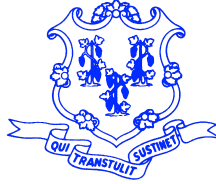


The Connecticut General Assembly

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Memorandum

To: Legislative Regulation Review Committee
From: Legislative Commissioners' Office
Committee Meeting Date: September 25, 2012

Regulation No:	2012-37
Agency:	Department of Energy and Environmental Protection
Subject Matter:	E-Waste Regulations
Statutory Authority: (copy attached)	22a-630(d), 22a-638

	Yes or No
Mandatory	Y
Federal Requirement	N
Permissive	N

For the Committee's Information:

Substantive Concerns:

Technical Corrections:

1. On page 1, in section 22a-638-1(a)(2), "[Commissioner] commissioner" should be "Commissioner", for proper form.

2. On page 1, in section 22a-638-1(a)(5), "but [do] shall not include any of the following, including any of their components:" should be "but [do] does not include any of the following, including any component of the following:", for clarity.
3. On page 2, in section 22a-638-1(a)(7), "[Department] department" should be "the Department", for proper form.
4. On page 2, in section 22a-638-1(a)(13), ' [Concern] concern ' should be ' concern ', for proper form.
5. On page 3, in section 22a-638-1(a)(13), the subparagraph designators (c), (d), (e) and (f) should each be capitalized, for proper form.
6. On page 4, in section 22a-638-1(a)(23)(A), "no other activities that would make" should be "no other activities described in this definition that would otherwise make", for clarity.
7. On page 4, in section 22a-638-1(a)(23)(B), "incidental to transportation are conducted" should be "incidental to the transportation of CEDs or components of CEDs are conducted", for clarity.
8. On page 6, in section 22a-638-1(b)(3)(D)(ii) and on page 10, in section 22a-638-1(b)(3)(M), "residents" should be "consumers", for clarity.
9. On page 8, in section 22a-638-1(b)(3)(G)(iii)(II), "the hazardous waste regulations" should be "the applicable hazardous waste regulations", for proper form.
10. On page 9, in section 22a-638-1(b)(3)(G)(v), "subdivision" should be "subparagraph", for accuracy.
11. On page 9, in section 22a-638-1(b)(3)(G)(vi), "subdivision" should be "subparagraph", "subsection" should be "subdivision", and "(e)(7)[(C)]" should be "[(e)(7)(C)] (e)(7)", for accuracy and proper form.
12. On page 10, in section 22a-638-1(b)(3)(M), subclause designators (I), (II), and (III) should be clause designators (i), (ii) and (iii), for accuracy.
13. On page 13, in section 22a-638-1(e)(6)(A), after "unobtainable", the remaining underlined language up to the existing colon should be deleted, for clarity.
14. On page 14, in section 22a-638-1(e)(6)(A), after subclause (II) and before subparagraph (B), the following sentence should be inserted for clarity: "For the purposes of this subparagraph, insurance coverage shall not be deemed to not be offered or to be unobtainable if the owner or operator of such recycling facility or disposal facility is denied insurance coverage or if such owner or operator elects to not obtain such insurance coverage."
15. On page 15, in section 22a-638-1(e)(6)((D), "[subparagraph] subparagraph" should be "subparagraph", for proper form.

16. On page 16, in section 22a-638-1(e)(7)(C), "a government program that provide the functional equivalent to compliance with these requirements." should be "a government program that provides the functional equivalent to compliance with such requirements.", for clarity.

Recommendation:

<input checked="" type="checkbox"/>	Approval in whole
<input checked="" type="checkbox"/>	with technical corrections
<input checked="" type="checkbox"/>	with deletions
<input type="checkbox"/>	with substitute pages
<input type="checkbox"/>	Disapproval in whole or in part
<input type="checkbox"/>	Rejection without prejudice

Reviewed by: Bradford M. Towson / Angela Rehm

Date: September 11, 2012

Sec. 22a-638. Regulations. The Commissioner of Energy and Environmental Protection shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the provisions of sections 22a-629 to 22a-640, inclusive. Such regulations shall include, but not be limited to, provisions that establish (1) a process for approving covered electronic recyclers, (2) a table of qualified reimbursable costs for covered electronic recyclers, (3) standards for operation, accounting and auditing of covered electronic recyclers, (4) a list of covered electronic devices and such list may include additional devices other than those specified in section 22a-629, such as printers, and (5) any other requirements necessary to carry out the provisions of sections 22a-629 to 22a-640, inclusive.

Sec. 22a-630(d).

(d) Not later than April 1, 2009, the commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to establish annual registration and reasonable fees for administering the program established in sections 22a-629 to 22a-640, inclusive. All fees charged shall be based on factors relative to the costs of administering such program and be based on a sliding scale that is representative of the manufacturer's market share of covered electronic devices in the state. Market share information shall be based on available national market share data. Fees shall be established in amounts to fully cover but not to exceed expenses incurred by the commissioner for the implementation of such program, including the cost of any education or outreach necessary to carry out such program.